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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 NICK MAKREAS,

No. C-11-2406 MMC

10 Plaintiff,

**ORDER VACATING FEBRUARY 3, 2012  
HEARING**

11 v.

12 THE MOORE LAW GROUP, A.P.C., et al.,

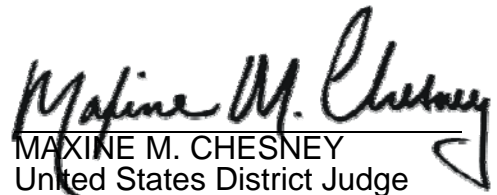
13 Defendants.

14 Before the Court are two motions to dismiss, filed pursuant to Rule 12(b)(6) of the  
15 Federal Rules of Civil Procedure: (1) defendant The Moore Law Group, A.P.C.'s ("Moore")  
16 motion, filed November 21, 2011; and (2) defendant Citibank (South Dakota), N.A.'s  
17 motion, filed November 14, 2011. Plaintiff Nick Makreas ("Makreas") has filed opposition to  
18 each motion, and each defendant has filed a reply. Additionally, Makreas has filed a "reply"  
19 to Moore's reply.<sup>1</sup> Further, with leave of court, Moore and Makreas have each filed  
20 supplemental briefing to address a jurisdictional issue.

21 Having read and considered the papers filed in support of and in opposition to the  
22 motions, the Court deems the matters suitable for determination on the parties' respective  
23 written submissions, and VACATES the hearing scheduled for February 3, 2012.

24 **IT IS SO ORDERED.**

25 Dated: January 31, 2012

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MAXINE M. CHESNEY  
United States District Judge

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<sup>1</sup>As explained in the Court's order of December 23, 2011, although Makreas' filing of a "reply" to a reply is procedurally improper, the Court will consider said filing.